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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/669,740	09/24/2003	Jin Shenghao	15865.3a.1	4495

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EXAMINER

AYRES, TIMOTHY MICHAEL

ART UNIT	PAPER NUMBER
3637	

DATE MAILED: 09/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/669,740	<b>Applicant(s)</b> SHENGHAO ET AL.	
	<b>Examiner</b> Timothy M. Ayres	<b>Art Unit</b> 3637	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 30 June 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1,2,5-7,9,10 and 12-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,5-7,9,10 and 12-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:  
  
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
2. Claims 1, 2, 5-7, and 9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. Claim 1 recites the limitation "the center section of the first support member" in line 22. There is insufficient antecedent basis for this limitation in the claim.
4. Claim 1 recites the limitation "the center section of the second support member" in line 23. There is insufficient antecedent basis for this limitation in the claim.
5. Claim 9 recites the limitation "the center section of the first support member" in line 2. There is insufficient antecedent basis for this limitation in the claim.
6. Claim 9 recites the limitation "the center section of the second support member" in line 3. There is insufficient antecedent basis for this limitation in the claim.

### ***Terminal Disclaimer***

7. The terminal disclaimer filed on 6/30/06 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of 9/24/2023 has been reviewed and is accepted. The terminal disclaimer has been recorded.

***Claim Rejections - 35 USC § 103***

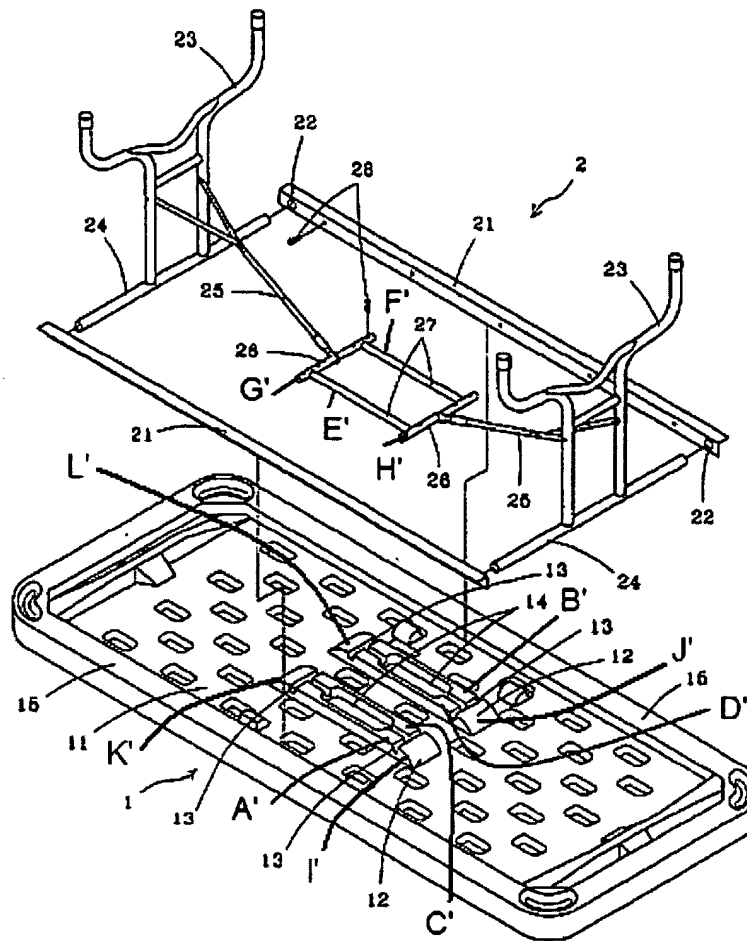
8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1, 2, 5-7, 9, 10 and 12-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Publication 2003/0233967 to Lin. Lin teaches a table (1) with a table top. The table top has a top surface and a bottom surface. A mounting structure (12) is centrally disposed on the bottom surface. The mounting structure (12) includes a first generally c-shaped portion (A', I', K') including a center section (A') that is defined by the grooves (13) and a second generally c-shaped portion (B', J', L') including a center section (B') defined by the grooves (13). A support assembly (26,27) is partially connected to the mounting structure (12). The support assembly comprises a first elongated support member (E') attached to the center section (A') of the first generally c-shaped portion (A', I', K') of the mounting structure (12) and a spaced apart second elongated support member (F') attached to the center section (B') of second generally c-shaped portion (B', J', L') of the mounting structure (12). A first connecting member (G') is connected to the first support member (E') and the second support member (F'). A frame assembly has a first leg (23), which is attached to the first end of a first support brace (25). The second end of the first support brace is attached to the first connecting member (G') of support assembly (26,27). The mounting structure (12)

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comprises a pair of C-shaped mounting ridges (A', B') formed in the first portion (A', C') and the second portion (B', D') of the mounting structure (12) as seen in marked up figure 1 below. The mounting structure (12) is formed integrally with the table top. The table top is formed of blow-molded plastic. A second connecting member (H') is connected to the first support member (E') and the second support member (F'). A second leg (23) is movable between a use position and a storage position. A second support brace (25) includes a first portion and a second portion. The first portion is attached to the second leg (23) and the second portion is attached to the second connecting member (H') of the support assembly (26, 27).



Lin '967 Figure 1

10. Lin does not expressly disclose a first and second connecting member connected to a center section of the first support member and a center section of the second support member, and first and second openings in the first and second elongated support members to allow for the connection of the first and second connecting members. As seen in figure 1 the first and second connecting members are connected to the ends of the first and second support members. At the time of the invention it would have been obvious for a person of ordinary skill in the art to modify the table of

Lin by making the connecting members shorter and the support members longer since applicant has not disclosed that having the first and second connecting member connected to a center section of the first support member and a center section of the second support member solves any stated problem or is for any particular purpose and it appears that the support assembly would perform equally well with the first and second connecting members are connected to the centers of the first and second support members since it is functionally equivalent and works equally well.

11. As ascertained from figure 1-3, it appears that openings on the connecting members receive the elongated support members. It would have been obvious for a person of ordinary skill in the art to modify the support assembly of Lin by having the openings on the elongated support members to receive the connecting members, since applicant has not disclosed that having the openings on the elongated support members solves any stated problem or is for any particular purpose and it appears that the support assembly would perform equally well with the openings on the elongated support members to receive the connecting members since it is functionally equivalent and works equally well.

### ***Response to Arguments***

Applicant's arguments filed 6/30/06 have been fully considered but they are not persuasive. Lin does not teach a first and second connecting member connected to a center section of the first support member and a center section of the second support

member, and first and second openings in the first and second elongated support members, but that is resolved with the 103 rejection.

### ***Conclusion***

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy M. Ayres whose telephone number is (571) 272-8299. The examiner can normally be reached on MON-THU 8:00 - 5:00.

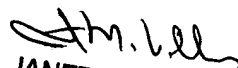
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on (571) 272-6867. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TMA  
8/29/06

  
JANET M. WILKENS  
PRIMARY EXAMINER  
A to 4343